

[40121/00302]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Rupeng Zhao  
Serial No. : 10/617,389  
Filed : July 11, 2003  
For : SUPERCONDUCTING TAPES  
Group Art Unit : 1725  
Examiner : Colleen Cooke

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

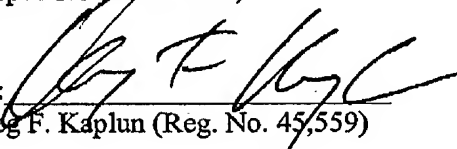
**STATEMENT UNDER 37 CFR 3.73(b)**

METAL MANUFACTURERS LIMITED hereby states that it is the assignee of the entire right, title, and interest of the above-identified application and prior U.S. Patent No. 6,600,939 issued July 29, 2003 ('939 Patent). The assignment of the '939 patent to Metal Manufacturers Limited was recorded on September 4, 2002 and assigned Reel/Frame 013262/0746. The above-identified application is also owned by Metal Manufacturers Limited by way of an Assignment, which has been filed with the USPTO on February 18, 2004 and a copy of which is attached herewith.

The undersigned is authorized to act on behalf of the assignee.

Respectfully submitted,

Dated: June 2, 2004

By:   
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Tel: (212) 619-6000  
Fax: (212) 619-0276

JONES  
VOLENTINE  
L.L.C. (6/2000)

## ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to

Insert Name(s)  
of Inventor(s) each of the undersigned

Rupeng Zhao

and

Insert Name(s)  
of Assignee(s)

the undersigned hereby sell(s) and assign(s) to

Metal Manufactures Limited

Address

of 19-21 Loyalty Road, North Rocks NSW 2051, Australia

(hereinafter designated as the Assignee) the entire right, title and interest for the United States as defined in 35 USC 100, in the invention known as

Title of  
Invention

"SUPERCONDUCTING TAPES"

for which an application for patent in the United States of America has been executed by the undersigned

Date of Signing  
of Application

on Dec 15, 2000

The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing, divisional or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation, division or reissue thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) to Raymond C. Jones, Reg. No. 34,631 and Adam C. Volentine, Reg. No. 33,289, of the firm of JONES VOLENTINE, L.L.C. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date 15 Dec 2000, Name of Inventor Rupeng Zhao X  
 Date \_\_\_\_\_, Name of Inventor \_\_\_\_\_  
 Date \_\_\_\_\_, Name of Inventor \_\_\_\_\_  
 Date \_\_\_\_\_, Name of Inventor \_\_\_\_\_  
 Date \_\_\_\_\_, Name of Inventor \_\_\_\_\_

(Note regarding Witnessing and/or Acknowledgment: Acknowledgment before a United States Consul is preferred but not required. If not acknowledged, then it is recommended that the execution by the inventor(s) be witnessed by at least two witnesses who sign here. However, the current practice of the U.S. Patent and Trademark Office is to record an Assignment even if it has not been acknowledged and/or witnessed.)

Witness M.H. Affety  
 Witness F. D. ...

### ACKNOWLEDGMENT

\_\_\_\_\_  
 } ss  
 \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came the above-named \_\_\_\_\_

\_\_\_\_\_ to me personally known as the individual(s) who executed the foregoing assignment, who did acknowledge to me that he (they) executed the same of his (their) own free will for the purposes therein set forth.

SEAL

\_\_\_\_\_  
 Official Signature

\_\_\_\_\_  
 Official Title

\*\*\*\*\*

Applicant Reference No.: PCT/AU9900181 Atty Docket No.: BSW.004

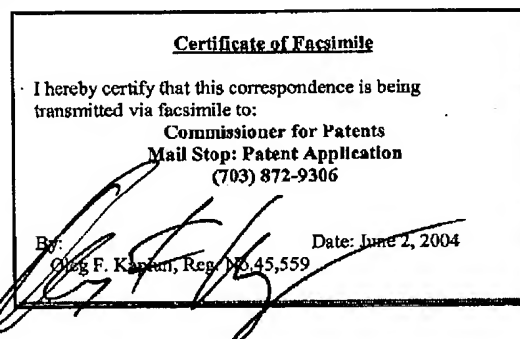
Serial No.: 09/661,252 Filing Date: September 13, 2000

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Group Art Unit : 1725  
Examiner : Colleen Cooke

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

S I R:

In response to the Office Action mailed December 2, 2003 transmitted herewith please find a Response, Terminal Disclaimer and a Statement Under 37 CFR 3.73(b) for filing in the above-identified application.

The Commissioner is hereby authorized to charge the three-month extension fee in the amount of \$950.00 to the Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492. If any further fees are required, please use the deposit account. A copy of this paper is enclosed for that purpose.

Respectfully submitted,

Dated: June 2, 2004

By: *[Signature]*  
Greg F. Kaplun, Reg. No. 45,559

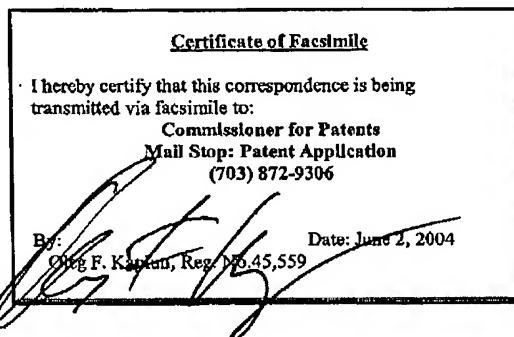
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150 Broadway, Suite 702  
New York, NY 10038  
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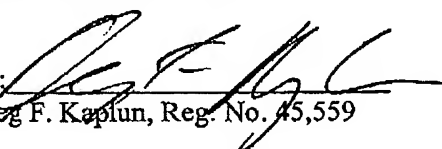
SIR:

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Respectfully submitted,

Dated: June 2, 2004

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Greg F. Kaplan, Reg. No. 45,559

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1754

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FACSIMILE COVER SHEET

FAX NO : (703) 872-9306  
TO : Commissioner for Patents  
Mail Stop: Patent Application  
FROM : Oleg F. Kaplun, Esq.  
DATE : June 2, 2004  
SUBJECT : U.S. Patent Appl. Serial No. 10/617,389  
for *Superconducting Tapes*  
Our Ref.: 40121/00302

NUMBER OF PAGES INCLUDING COVER : 17

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MESSAGE:

Please see attached. Thank you.

**IF ANY PAGES WERE NOT RECEIVED OR ARE ILLEGIBLE, PLEASE CALL (212) 619-6000 AS SOON AS POSSIBLE**

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